

FILED

JAN 12 2023

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

MALCOLM S. COOK,

Defendant.

INDICTMENT

CASE NO.

5:23 CR 0018

Title 18, United States Code,
Sections 2252(a)(1), 2252(a)(2)
and 2252A(a)(5)(B)

JUDGE FLEMING

COUNT 1

(Receipt of Visual Depictions of Real Minors Engaged In Sexually Explicit Conduct, 18 U.S.C. § 2252(a)(2))

The Grand Jury charges:

1. From on or about December 20, 2020 to on or about February 7, 2022, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant MALCOLM S. COOK did knowingly receive, using any means and facility of interstate and foreign commerce, numerous computer files, which files contained visual depictions of real minors engaged in sexually explicit conduct, and which files had been shipped and transported in and affecting interstate and foreign commerce, as defined in Title 18, United States Code, Section 2256(2), in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 2

(Transportation of Visual Depictions of Minors Engaged in Sexually Explicit Conduct,
18 U.S.C. § 2252(a)(1))

The Grand Jury further charges:

2. From on or about December 20, 2020 to February 7, 2022, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant MALCOLM S. COOK did

knowingly transport child pornography, that is, visual depictions of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252(a)(1).

COUNT 3

(Possession of Child Pornography, 18 U.S.C. § 2252A(a)(5)(B))

The Grand Jury further charges:

3. From on or about August 31, 2022, in the Northern District of Ohio, Eastern Division, Defendant MALCOLM S. COOK did knowingly possess a Pixel 6 Pro cellular phone and a CyberPower personal computer that contained child pornography as defined in Title 18, United States Code, Section 2256(8), which child pornography had been shipped and transported in interstate and foreign commerce by any means, including by computer, and which was produced using materials which had been shipped and transported in interstate and foreign commerce by any means, including by computer, and at least one image involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.